

Roll No



**PRESIDENCY UNIVERSITY  
BENGALURU**

**SET-B**

**SCHOOL OF LAW  
END TERM EXAMINATION –  
MAY/JUNE 2024**

**Semester :** Semester II - 2023

**Course Code :** LAW2056

**Course Name :** Legal Writing

**Program :** BA LLB Honors

**Date :** June 13, 2024

**Time :** 9:30 AM - 12:30 PM

**Max Marks :** 100

**Weightage :** 50%

**Instructions:**

- (i) Read all questions carefully and answer accordingly.*
- (ii) Question paper consists of 3 parts.*
- (iii) Scientific and non-programmable calculator are permitted.*
- (iv) Do not write any information on the question paper other than Roll Number.*

**PART A**

**ANSWER ANY FOUR QUESTIONS**

**4Q X 5M = 20 MARKS**

1. What is client correspondence? What are the essentials of an effective client correspondence?  
(CO1) [Knowledge]
2. What is a legal memo? How does it facilitate the legal professionals in effective communication?  
(CO2) [Knowledge]
3. What is legal research? Explain the sources of legal research?  
(CO3) [Knowledge]
4. What is citation? Why citation is important in legal research?  
(CO3,CO4) [Knowledge]
5. How does legal citation facilitate the development of legal scholarship? Explain.  
(CO4,CO5) [Knowledge]
6. What is Legal Commentary? Why is it used in legal research?  
(CO5,CO4) [Knowledge]

## PART B

### ANSWER ANY FOUR QUESTIONS

4Q X 10M = 40 MARKS

7.

Read the following paragraph carefully and draw the whirlybird as described:

"The basic structure principle is a judicial doctrine in Indian constitutional law that ensures certain fundamental features of the Constitution cannot be altered or destroyed through amendments by the Parliament. This principle emerged from the landmark judgment in the *Kesavananda Bharati v. State of Kerala* case in 1973. The Supreme Court held that while Parliament has wide powers to amend the Constitution under Article 368, it does not have the authority to alter its basic structure. This was a departure from earlier cases like *Shankari Prasad (1951)* and *Sajjan Singh (1965)*, where the Court upheld Parliament's unrestrained amending power. The concept was first hinted at in *Golaknath v. State of Punjab (1967)*, where the Court ruled that fundamental rights could not be amended. However, it was in *Kesavananda Bharati* that the Court explicitly formulated the basic structure doctrine, identifying key elements such as the supremacy of the Constitution, the rule of law, and the principle of separation of powers as inviolable. Over the years, the Supreme Court has elaborated on this principle in subsequent cases. In *Indira Nehru Gandhi v. Raj Narain (1975)*, the Court invalidated clauses of the 39th Amendment, reinforcing the doctrine by declaring that certain constitutional amendments could be struck down if they impinged on the basic structure. The *Minerva Mills v. Union of India (1980)* case further reinforced the doctrine, emphasizing the harmony and balance between fundamental rights and directive principles as part of the basic structure. Thus, the basic structure doctrine has evolved as a critical safeguard against the erosion of essential constitutional values, ensuring the preservation of democratic governance and the rule of law in India."

(CO2) [Application]

8. Explain the principles of effective legal writing. Why is it important to understand the audience to enable an effective communication?

(CO1) [Application]

9. What is APA citation style? How is it different from Bluebook citation style?

(CO1) [Application]

10. What are legal authorities? Differentiate between primary and secondary legal authorities.

(CO5) [Application]

11. What is JILI citation style? Cite the following legal authorities in JILI citation style.

1. Cite the statute titled "The Indian Contract Act, 1872" as found in the bare act published by the Government of India.
2. Cite the administrative regulation "The Central Motor Vehicles Rules, 1989" which was notified by the Ministry of Road Transport and Highways.
3. Cite the Supreme Court of India decision in the case "*Kesavananda Bharati v. State of Kerala*," decided in 1973, which is reported in volume 4 of the Supreme Court Cases (SCC), starting on page 225.
4. Cite a secondary source, specifically a book titled "Constitutional Law of India" by H.M. Seervai, which is the 4th edition published by Universal Law Publishing in 2013.
5. Cite a journal article titled "Judicial Activism in India" authored by Pratap Bhanu Mehta, published in the Journal of Indian Law Institute (JILI), volume 45, issue 2, in the year 2003, starting on page 150.

(CO4) [Application]

12. What is APA citation style? Cite the following legal authorities using the information given below in APA citation style.
1. Cite the statute titled "The Right to Information Act 2005" as found in the bare act published by the Government of India.
  2. Cite the administrative regulation "The Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules 2011" which was notified by the Ministry of Electronics and Information Technology.
  3. Cite the Supreme Court of India decision in the case "Navtej Singh Johar v. Union of India," decided in 2018, which is reported in volume 10 of the Supreme Court Cases (SCC), starting on page 1.
  4. Cite a secondary source, specifically a book titled "Principles of Administrative Law" by M.P. Jain and S.N. Jain, which is the 7th edition published by LexisNexis in 2013.
  5. Cite a journal article titled "Environmental Jurisprudence in India" authored by Shyam Divan, published in the Oxford Journal of Environmental Law, volume 25, issue 3, in the year 2013, starting on page 345.

(CO3) [Application]

### PART C

**ANSWER ANY TWO QUESTIONS**

**2Q X 20M = 40 MARKS**

13. As an associate at a reputable law firm in India specializing in contract law, your senior partner has tasked you with drafting a legal memorandum addressing a complex contractual dispute between two parties. Below are the relevant facts of the case:  
Party X, a web development company, entered into a contract with Party Y, an e-commerce startup, to create a fully customized online platform for their business operations. The contract detailed the scope of work, project timelines, and payment schedules.  
During the development process, Party X encountered several unforeseen integration issues with third-party APIs, leading to significant delays in the project's completion. Frustrated with these delays, Party Y sent a formal notice to Party X, alleging breach of contract and threatening to terminate the agreement and seek damages if the problems were not immediately rectified.  
In response, Party X contends that the delays were due to unpredictable technical difficulties beyond their control, asserting that they have been making every effort to resolve the issues promptly. They argue that Party Y's threat of legal action is unjustified and amounts to a breach of the implied duty of good faith and fair dealing within the contract.

(CO2) [Analysis]

14. Elaborate the concept of integration of statutes and precedents in legal research.

(CO4) [Analysis]

15. Explain the detailed rules for citing the cases, statutes, and secondary sources using Bluebook citation style. Provide examples for each.

(CO5) [Analysis]